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TRANSMITTAL FORM

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Total Number of Pages in This Submission

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44 Refs.

Application Number	10/759,337
Filing Date	January 16, 2004
First Named Inventor	George TIDMARSH
Art Unit	1614
Examiner Name	R. Henley III
Attorney Docket Number	544922000100

ENCLOSURES (Check all that apply)

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	MORRISON & FOERSTER LLP (Customer No. 25226) Carol M. Gruppi - 37,341
Signature	
Date	November 3, 2004

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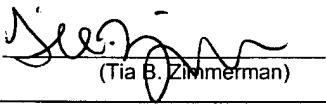
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PATENT
Docket No. 544922000100

Dated: November 3, 2004

Signature: 

(Tia B. Zimmerman)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
George TIDMARSH
Serial No.: 10/759,337
Filing Date: January 16, 2004

For: TREATMENT OF BENIGN PROSTATIC
HYPERPLASIA

Examiner: R. Henley III
Group Art Unit: 1614

**INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Pursuant to the USPTO notice dated July 11, 2003, waiving the requirement under 37 C.F.R. § 1.98 (a)(2)(i) to provide copies of U.S. Patents and U.S. Published Applications, copies of those references are not submitted. Copies of foreign documents and non-patent literature are submitted herewith. The Examiner is requested to make these documents of record.

This Information Disclosure Statement is submitted:

- With the application; accordingly, no fee or separate requirements are required.
- Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114. However, if applicable, a certification under 37 C.F.R. § 1.97 (e)(1) has been provided.
- Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required. However, if applicable, a certification under 37 C.F.R. § 1.97 (e)(1) has been provided.
- After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
 - A fee is required. A check in the amount of __ is enclosed.
 - A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
 - A Certification under 37 C.F.R. § 1.97(e) is provided above; accordingly; no fee is believed to be due.
- After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
 - A Certification under 37 C.F.R. § 1.97(e) is provided above and a check in the amount of __ is enclosed.
 - A Certification under 37 C.F.R. § 1.97(e) is provided above and a Fee Transmittal form (PTO/SB/17 is attached to this submission in duplicate.)

Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

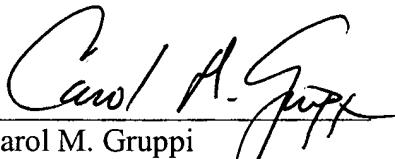
The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist;

(iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

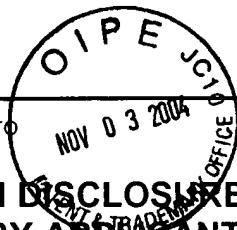
In the unlikely event that the transmittal form is separated from this document and the Patent Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. § 1.17 (p)) is required, Applicants petitions for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing 544922000100. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: November 3, 2004

Respectfully submitted,

By 
Carol M. Gruppi
Registration No.: 37,341

MORRISON & FOERSTER LLP
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Palo Alto, California 94304
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Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>		<i>NOV 03 2004</i> U.S. PATENT & TRADEMARK OFFICE	
<i>Complete if Known</i>			
Application Number		10/759,337	
Filing Date		January 16, 2004	
First Named Inventor		George TIDMARSH	
Art Unit		1614	
Examiner Name		R. Henley III	
Attorney Docket Number		544922000100	
Sheet	1	of	5

U.S. PATENT DOCUMENTS+					
		Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
Examiner Initials*	Cite No. ¹	Number Kind Code ² (if known)			
	1	6,319,517	08-27-1998	Cavallo <i>et al.</i>	
	2	6,337,087	08-27-1998	Cavallo <i>et al.</i>	
	3	5,260,327	08-04-1992	Kim <i>et al.</i>	
	4	4,684,627	08-13-1984	Leveen <i>et al.</i>	
	5	4,840,939	03-18-1987	Leveen <i>et al.</i>	
	6	6,001,865	05-04-1999	Silvestrini <i>et al.</i>	

Examiner Signature		Date Considered	
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pa-932523

¹EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ² Applicant's unique citation designation number (**optional**). ³ Kind Codes of U.S. Patent Documents at www.uspto.gov or MPEP 901.04. ⁴ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁵ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁶ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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Sheet	2	of	5	Attorney Docket Number	544922000100

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		T ²
	7	BELZACQ <i>et al.</i> , Oncogene, 2001, 7579-87, 20.		
	8	BELZACQ <i>et al.</i> , Biochimie, 2002, 167-76, 84.		
	9	BERRUTI <i>et al.</i> , J. Clin. Oncol., 2002, 4150-9, 20(20)		
	10	BESNER <i>et al.</i> , Oncology, 1984, 48-52, 41(supp. 1)		
	11	BESNER <i>et al.</i> , Drug Metabolism Rev., 1997, 219-234, 29(1&2).		
	12	BUNN, J. Clin. Onc., 2002, 23-33, 20(18).		
	13	CALABRESI <i>et al.</i> , Sem. Onc., 1991, 66-72, 18(2).		
	14	CIONINI, Sem. Onc., 1991, 49-52, 18(2) Suppl. 4.		
	15	COMELLA <i>et al.</i> , J. Clin. Onc., 1999, 1526-34, 17(5).		
	16	CORSI <i>et al.</i> , J. Med. Chem., 1976, 778-783, 19(6).		
	17	COSTELLO & FRANKLIN, Oncology, 2000, 269-282, 59.		
	18	COSTELLO <i>et al.</i> , J. Inorg. Biochem., 2000, 161-165, 78.		

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	19	CUNA <i>et al.</i> , Apr., Sem. Onc., 1991, 18-22, 18 (2 supp. 4)		
	20	DE LENA <i>et al.</i> , Eur. J. Can., 2001, 364-8, 37.		
	21	DE LENA <i>et al.</i> , J. Clin. Onc., 1997, 3208-13, 15(10).		
	22	FLORIDI <i>et al.</i> , Arch. Biochem. Biophys., 1983, 73-83, 226(1).		
	23	FLORIDI <i>et al.</i> , Can. Res., Nov., 1981, 4661-6, 41.		
	24	GATZEMEIER <i>et al.</i> , Sem. Onc., 1991, 42-8, 18(2) Suppl. 4.		
	25	GRIMA <i>et al.</i> , Biol. Reprod., 2001, 1500-8, 64.		
	26	HEYWOOD <i>et al.</i> , Chemotherapy, 1981, 91-97, 27 (Suppl. 2).		
	27	IANNIELLO <i>et al.</i> , 1996, Cancer, 63-9, 78(1).		
	28	LOBL <i>et al.</i> , Chemotherapy, 1981, 61-76, 27 (Suppl. 2).		
	29	MANSI <i>et al.</i> , Br. J. Cancer, 1991, 593-7, 64.		

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	30	MUNTZING <i>et al.</i> , J. Med. Primatol., 1975, 245-251, 4.	
	31	ORLANDI <i>et al.</i> , Int. J. Can., 1998, 377-84, 78.	
	32	ORLANDI <i>et al.</i> , Anticancer Res., 1994, 1161-4, 14.	
	33	PACINI <i>et al.</i> , Eur. J. Cancer, 2000, 966-75, 36.	
	34	PAGGI <i>et al.</i> , Ann. NY Acad. Sci., 1988, 358-60, 551.	
	35	PORTALONE <i>et al.</i> , Tumori, 1999, 239-42, 85.	
	36	POSSINGER <i>et al.</i> , Sem. Onc., 1991, 58-61, 18(2) Suppl. 4.	
	37	PRICE <i>et al.</i> , Cancer Chemother. Pharmacol., 1996, 129-135, 38.	
	38	PRIVITERA <i>et al.</i> , Radiother. Onc., 1987, 285-90, 10.	
	39	RAVAGNAN <i>et al.</i> , Oncogene, 1999, 2537-46, 18.	
	40	ROSSO <i>et al.</i> , Sem. Onc., 1991, 62-5, 18(2) Suppl. 4.	

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	41	ROTON <i>et al.</i> , Int. J. Radiation Oncolgy Biol. Phys., 1984, 1595-8, 10.		
	42	SAVINI <i>et al.</i> , Breast. Can. Res. Treat., 1992, 27-34, 24.		
	43	SCARANTINO <i>et al.</i> , Sem. Onc., 1991, 28-32, 18(2) Suppl. 4.		
	44	SCHIFFER <i>et al.</i> , Sem. Onc., 1991, 38-41, 18(2) Suppl. 4.		
	45	SILVESTRINI, Sem. Onc., 1991, 2-6, 18(2) Suppl. 4.		
	46	SEGRE <i>et al.</i> , Chemotherapy, 1981, 77-84, 27 (Suppl. 2).		
	47	TEICHER <i>et al.</i> , Sem. Onc., 1991, 7-10, 18(2) Suppl. 4.		
	48	TEICHER <i>et al.</i> , Eur. J. Cancer, 1994, 1411-3, 30A(10)		
	49	VIEIRA <i>et al.</i> , Cell Death and Differentiation, 2000, 1146-1154, 7.		
	50	ZANIBONI <i>et al.</i> , Tumori, 1995, 435-7, 81.		

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